

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 20, 1860.—Ordered to be printed.

Mr. GRIMES made the following

REPORT.

[To accompany Bill S. 182.]

*The Committee on Pensions to whom was referred the petition of Nicholas Underhill, a soldier of the war of 1812, having had the same under consideration, beg leave to report :*

That the petitioner states that he entered the service about the 1st September, 1814, as a sergeant, in Captain Underhill's company, New York militia, for three months, and was discharged about the 1st December following ; and that while in service and in the line of his duty, he received a wound in his left arm by a pistol ball discharged by his lieutenant, while in the act of firing in front of his company, which was then on drill ; that the said lieutenant's horse took alarm and wheeled suddenly, while he was in the act of firing ; whereby, the ball passed into petitioner's arm.

Application for pension has been made to the Pension Office, but as the petitioner's name was not found upon the rolls, his claim was disallowed, although that office had allowed him a land warrant for one hundred and sixty acres upon parol testimony.

Daniel Dutcher, whose name is found on the rolls of Captain Underhill's company, and who also has received a land warrant for one hundred and sixty acres, testifies to, and corroborates the entire statement of the petitioner.

William Williams, who states that he was in the same company, testifies to the same. These witnesses and the petitioner are certified by the judge of Westchester county, New York; before whom the affidavits are made, to be credible and entitled to full credit and belief.

It is satisfactorily shown that the officers under whom the petitioner served, are now dead.

Two surgeons, certified to be reputable in their profession, describe the wound as stated in the declaration of the petitioner, and that he is one half disabled thereby.

The petitioner testifies that until he obtained his land warrant, he was not aware that any provision was made for granting pensions to the militia for injuries received. Evidence complete, 4th of April, 1859.

Your committee, upon a full examination of the evidence, are of the opinion that the claim to pension is meritorious ; and therefore report a bill for his relief.

